

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 16

May 12, 2006

**SUBJECT: RESTRICTED ELECTRONIC SURVEILLANCE EQUIPMENT
GUIDELINES - REVISED**

PURPOSE: Department Manual Section 3/568.10 requires employees to obtain authorization for each use of restricted electronic surveillance equipment. However, specialized units in certain divisions (e.g., Narcotics Division, Major Crimes Division, etc.) within the Department require extended use of restricted electronic surveillance equipment for specific investigations. Given the current requirement, the current procedure is inefficient for specialized units; therefore, a request to utilize restricted electronic surveillance equipment for an extended period of time (not to exceed 30 days) may be authorized.

This Order establishes guidelines for requesting the use of restricted electronic surveillance equipment for an extended period of time. In addition, this Order revises the Authorization to Use Restricted Electronic Surveillance Equipment, Form 12.41, and activates the Authorization to Use Restricted Electronic Surveillance Equipment Monthly Usage Log, Form 12.41.1.

PROCEDURE:

I. AUTHORIZATION TO USE RESTRICTED ELECTRONIC SURVEILLANCE EQUIPMENT, FORM 12.41 - REVISED. Form 12.41 has been revised to reflect a change in the level of authorization required for the use of restricted electronic surveillance equipment; Department Personnel of the rank of Captain or above shall approve the use of such equipment.

A. Use of Form. Use of this form has not changed.

B. Completion. Completion of this form had not been changed.

C. Distribution. Distribution of this form has not been changed.

II. AUTHORIZATION TO USE RESTRICTED ELECTRONIC SURVEILLANCE EQUIPMENT MONTHLY USAGE LOG, FORM 12.41.1 - ACTIVATED. Form 12.41.1 has been activated to document the daily use of Restricted surveillance equipment.

A. Use of Form. This form is to be used in conjunction with the Authorization to Use Restricted Electronic

Surveillance Equipment, Form 12.41.

B. Completion. Self explanatory.

C. Distribution. The Restricted Electronic Surveillance Equipment Monthly Usage Log, Form 12.41.1, shall be distributed as follows:

1 - Commanding officer, initiating entity.

1 - Concerned staff officer.

1 - Original, Commanding officer, Administrative and Technical Services Bureau.

3 - Total

RESTRICTED ELECTRONIC SURVEILLANCE EQUIPMENT - DEFINED.

Restricted items include all electronic surveillance equipment designated or adapted for concealed use, such as transmitters capable of being concealed in an automobile, room or telephone, body transmitters, miniature recorders, and receivers and recorders when used with hidden transmitters. Tracking or tailing devices and other non-visual equipment are also restricted items.

Note: A surveillance van shall be added to the list of electronic surveillance items outlined in Manual Section 3/568.05. The surveillance van may be categorized as either a restricted or discretionary item. The surveillance van is considered a discretionary item unless it is used in conjunction with a camera and lens at which time it is considered a restricted item.

III. INVESTIGATING OFFICER'S RESPONSIBILITIES. In addition to the established guidelines in completing an Authorization to Use Restricted Electronic Surveillance Equipment, the investigating officer requesting extended use of the restricted electronic surveillance equipment shall:

- * Include the request to use the restricted equipment for an extended period of time not to exceed 30 days; and,
- * Include a notation as to the method and location of storage (e.g., locker, secured desk, etc.) when restricted equipment is not being utilized.

Note: Restricted electronic surveillance equipment shall not be stored in Department vehicles.

Upon approval by a supervisor and a Captain or above, Form 12.41 shall be submitted to the concerned equipment coordinator or Scientific Investigation Division (SID) Electronics personnel for equipment issuance.

Note: If the restricted electronic surveillance equipment is required beyond the 30 days, the equipment shall be returned to the concerned equipment coordinator or SID for inspection and testing. In addition, an Authorization to Use Restricted Electronic Surveillance Equipment, shall be re-submitted for approval.

Daily usage of the restricted electronic surveillance equipment shall be documented on the Restricted Electronic Surveillance Equipment Monthly Usage Log, Form 12.41.1. The log shall be completed in the following manner:

- * Entries shall be completed daily;
- * Each entry shall be reviewed and signed by the supervisor of the concerned investigative unit; and,
- * Upon completion of the investigation and the usage of the restricted electronic surveillance equipment, attach the completed log with the Authorization to Use Restricted Electronic Surveillance Equipment, and submit the completed forms to their supervisor for review.

IV. SUPERVISOR'S RESPONSIBILITIES. The supervisor reviewing the Authorization to Use Restricted Electronic Surveillance Equipment shall be responsible for:

- * Reviewing the Authorization to Use Restricted Electronic Surveillance Equipment, and discussing the intended use of the equipment with the investigating officer;
- * Pre-approving the Authorization to Use Restricted Electronic Surveillance Equipment, and ensuring it is submitted to the concerned Captain or above for approval; and,
- * Upon completion of the investigation and use of

the surveillance equipment, review the Restricted Electronic Surveillance Equipment Monthly Usage Log and the Authorization to Use Restricted Electronic Surveillance Equipment form and ensure the forms are forwarded to the concerned commanding officer.

V. COMMANDING OFFICER'S RESPONSIBILITIES. In addition to established responsibilities delineated in Department Manual Section 3/568.15, the commanding officer, of the rank of Captain or above shall:

- * Review and approve the Authorization to Use Restricted Electronic Surveillance Equipment; and,
- * Ensure the Authorization to Use Restricted Electronic Surveillance Equipment and the Restricted Electronic Surveillance Equipment Monthly Usage Log are forwarded to the concerned staff officer for review.

FORM AVAILABILITY: The Authorization to Use Restricted Electronic Surveillance Equipment, Form 12.41, and the Restricted Electronic Surveillance Equipment Monthly Usage Log, Form 12.41.1, will be available for ordering from the Department of General Services, Distribution Center, in about 60 days. A copy of the revised form is attached for immediate duplication and use.

AMENDMENTS: This Order amends Sections 3/568.05, 3/568.10, 3/568.15 and 5/12.41 of the Department Manual.

AUDIT RESPONSIBILITY: The affected Bureau Commanding Officer shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30

WILLIAM J. BRATTON
Chief of Police

Attachments

DISTRIBUTION "D"